

07-18-01

A

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
10441BTotal Pages in this Submission  
4**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**A NOVEL GROWTH FACTOR AND A GENETIC SEQUENCE ENCODING SAME**

and invented by:

**Nicholas Kim Hayward, Gunther Weber, Sean Grimmond, Magnus Nordenskjold and Catharina Larsson**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/765,588

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 58 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal                      Number of Sheets \_\_\_\_\_
- b. ☒ Informal                      Number of Sheets 52
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)*                      ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney                      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement/PTO-1449                      ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class                      ☒ Express Mail *(Specify Label No.):* EL895322243US

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*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☒ Additional Enclosures *(please identify below):*

**Request to Use Computer Readable form of Sequence Listing from Another Application under 37  
C.F.R**

**1.821(e)**

**Paper Copy of Sequence Listing  
Verification**

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

***Warning***

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

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**4**

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	18	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	15	- 3 =	12	x \$80.00	\$960.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					\$270.00
BASIC FEE					\$710.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$1,940.00

- ☒ A check in the amount of **\$1,940.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

Dated: July 17, 2001

**Frank S. DiGiglio**  
Registration No.: 31,346

**SCULLY, SCOTT, MURPHY & PRESSER**  
400 Garden City Plaza  
Garden City, New York 11530  
(516)742-4343

CC:

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No. <b>10441B</b>
Applicant(s): <b>Nicholas K. Hayward, et al.</b>			
Serial No. <b>Unassigned</b>	Filing Date <b>Herewith</b>	Examiner <b>Unassigned</b>	Group Art Unit <b>Unassigned</b>
Invention: <b>A NOVEL GROWTH FACTOR AND A GENETIC SEQUENCE ENCODING SAME</b>			
<p>I hereby certify that the following correspondence:</p> <div><p><b>New Divisional Patent Application</b></p><p><i>(Identify type of correspondence)</i></p></div> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231</p> <p><u>July 17, 2001</u> <i>(Date)</i></p> <div><p><b>Janet Grossman</b> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><p><u>Janet Grossman</u> <i>(Signature of Person Mailing Correspondence)</i></p><p><b>EL895322243US</b> <i>("Express Mail" Mailing Label Number)</i></p></div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Nicholas K. Hayward, et al.

**Examiner:** Unassigned

**Serial No.:** Unassigned

**Art Unit:** Unassigned

**Filing Date:** Herewith

**Docket:** 10441B

**For:** A NOVEL GROWTH FACTOR AND A  
GENETIC SEQUENCE ENCODING SAME

**Date:** July 17, 2001

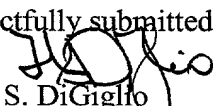
Assistant Commissioner for Patents  
Washington, DC 20231

**VERIFICATION UNDER 37 C.F.R. §1.821(f)**

Sir:

I hereby state that the content of the paper and computer readable copy of the  
Sequence Listing filed in the parent application on January 11, 2001, in accordance with 37  
C.F.R. §1.821(c) and (e), respectively, are the same.

Respectfully submitted,

  
Frank S. DiGiglio  
Registration No. 31,346

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343  
PIB:bb

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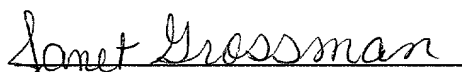
**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**Express Mail mailing label number:** EL895322243US

**Date of Deposit:** July 17, 2001

I hereby certify that this correspondence is being deposited with the United States  
Postal Service as Express Mail Post Office to Addressee service under 37 C.F.R. §1.10 on the  
date indicated above addressed to: Assistant Commissioner for Patents and Trademarks,  
Washington, DC 20231.

Dated: July 17, 2001

  
Janet Grossman

**PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Nicholas K. Hayward, et al.

**Examiner:** Unassigned

**Serial No.:** Unassigned

**Art Unit:** Unassigned

**Filing Date:** Herewith

**Docket:** 10441B

**For:** A NOVEL GROWTH FACTOR AND A  
GENETIC SEQUENCE ENCODING SAME

**Date:** July 17, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

**REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE  
LISTING FROM ANOTHER APPLICATION UNDER 37 C.F.R. §1.821(e)**

Sir:

The computer readable form in this instant application is identical with that filed in Application Serial Number 08/765,588, filed in the Amendment filed January 11, 2001. In accordance with 37 C.F.R. §1.821(e), please use the last-filed computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the

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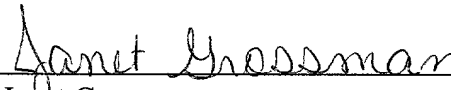
**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**Express Mail mailing label number:** EL895322243US

**Date of Deposit:** July 17, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee service under 37 C.F.R. §1.10 on the date indicated above addressed to: Assistant Commissioner for Patents and Trademarks, Washington, DC 20231.

Dated: July 17, 2001

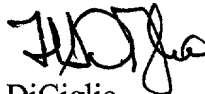
  
Janet Grossman



09/907007

necessary changes in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is enclosed herewith.

Respectfully submitted,



Frank S. DiGiglio  
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